

**Listing of the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Original) An earpiece for sound delivery comprising:
  - (a) a housing;
  - (b) a speaker located in said housing; and,
  - (c) a rotatable cap for providing sound communication from the speaker to the ear canal of a user.
2. (Original) An earpiece according to claim 1 wherein said rotatable cap comprises a body rotatably coupled to said housing, a bud extending from the body, and port means for providing sound communication from the speaker to the end of the bud.
3. (Original) An earpiece according to claim 2 wherein said bud is constructed so as not to occlude the ear when inserted in the entrance to a user's ear.
4. (Original) An earpiece according to claim 2 wherein said bud includes grooves so that said bud does not occlude the ear when inserted in the entrance to a user's ear.
5. (Original) An earpiece according to claim 2 wherein said bud has a diameter less than the diameter of the entrance to the user's ear so that said bud does not occlude the ear when inserted in the entrance to a user's ear.

6. (Original) An earpiece for sound delivery according to claim 2, wherein the bud has a substantially frusto conical shape.
7. (Original) An earpiece according to claim 2 wherein said port means comprises one port.
8. (Original) An earpiece for sound delivery according to claim 2, wherein the bud is a cylinder.
9. (Original) An earpiece for sound delivery according to claim 2, further comprising a hollow mushroom-shaped element coupled with an end of the bud.
10. (Previously presented) An earpiece for sound delivery according to claim 1, wherein the user's head has a front, a back and two sides, and the speaker is oriented with an angle between 45 degrees and 135 degrees to a side of the head of a the user, an output side of the speaker facing to the front of the head of the user.
11. (Original) An earpiece for sound delivery according to claim 1, wherein the axis of the speaker is oriented substantially perpendicularly to the axis of the ear canal of a user.
12. (Original) An earpiece for sound delivery according to claim 1, wherein an angle of the axis of the bud to the axis of the speaker is between 15 degrees and 90 degrees.

13. (Original) An earpiece for sound delivery according to claim 2, wherein the material of the cap is silicone rubber.
14. (Original) An earset assembly comprising:
  - (a) An earpiece housing; and,
  - (b) a neck member shaped to cooperate with a user's ear and comprising a speaker housing and a microphone housing, said neck member being configured to connect to said earpiece housing.
15. (Original) An earset assembly according to claim 14, wherein said neck member forms a substantially U-shape to cooperate with a user's ear.
16. (Original) An earset assembly according to claim 14, wherein said neck member includes a substantially U-shaped portion to connect to said housing.
17. (Original) An earset sound delivery assembly according to claim 14, wherein neck member is bonded to the housing by ultrasonic welding.
18. (Original) An earset sound delivery assembly according to claim 14, wherein said earpiece housing comprises an antenna.
19. (Original) An earset assembly according to claim 14, wherein the material of the neck member is elastic material.

20. (Original) An earset assembly according to claim 14, wherein material of the neck member is rubber.
21. (Original) An earset assembly according to claim 14, wherein material of the neck member is silicone rubber.
22. (Original) An earset sound delivery assembly according to claim 14, further comprising a battery contained in the housing.
23. (Original) An earset assembly according to claim 14, further comprising a microphone contained in said neck member.
24. (Original) An earset sound delivery device comprising:
  - (a) support means to support a speaker in the concha of a user's ear; and,
  - (b) a cap rotatably coupled to said support means and providing sound communication from the speaker to the entrance of a user's ear, said rotatable cap being rotatable to various angles to accommodate anatomical differences among users.
25. (Original) An earset sound delivery device according to claim 24 wherein said rotatable cap is rotatable about the axis of the speaker.
26. (Original) An earset sound delivery device according to claim 24 wherein said cap is constructed to form an acoustic seal with said speaker.